

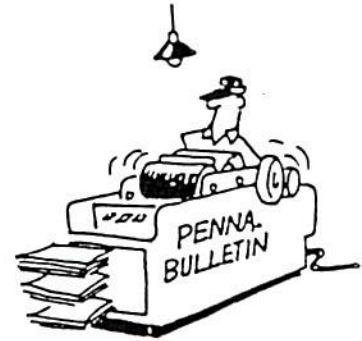
Pennsylvania's Regulatory Review Process



Step 1: The implementing agency drafts the proposed regulation and meets with its advisory committees.



Step 2: The proposed regulation is reviewed by the Governor's Office of General Counsel and the state Attorney General's Office.



Step 3: The proposed regulation is published in the *Pennsylvania Bulletin* for public comment. A minimum timetable of 30 days is established for the public comment period.



Step 4: The Independent Regulatory Review Commission and the appropriate standing committees of the House and Senate review the proposed regulation.



Step 5: The implementing agency reviews comments from the public, the Independent Regulatory Review Commission, and the standing committees and makes the necessary revisions to the regulation.

Step 6: The final regulation is submitted to the Independent Regulatory Review Commission and the standing committees of the legislature for their approval or disapproval.



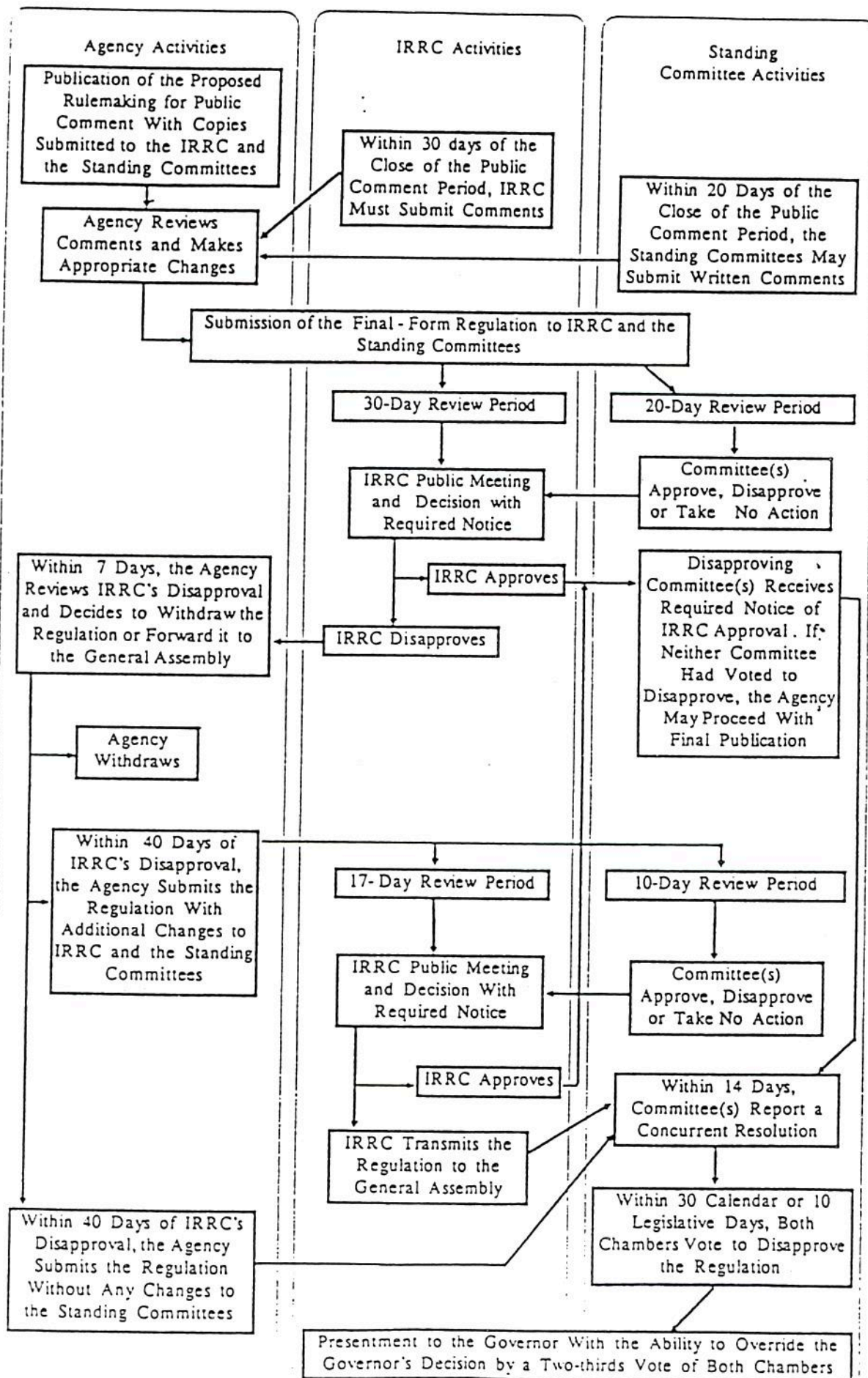
Step 7: If approved, the final regulation is reviewed by the Governor's Office of General Counsel and the state Attorney General's Office.

Step 8: The final regulation is published in the *Pennsylvania Bulletin*, marking the birth of a new state regulation.



THE REGULATORY REVIEW PROCESS

CHART A: OVERALL PROCESS



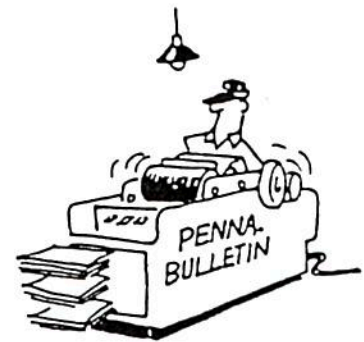
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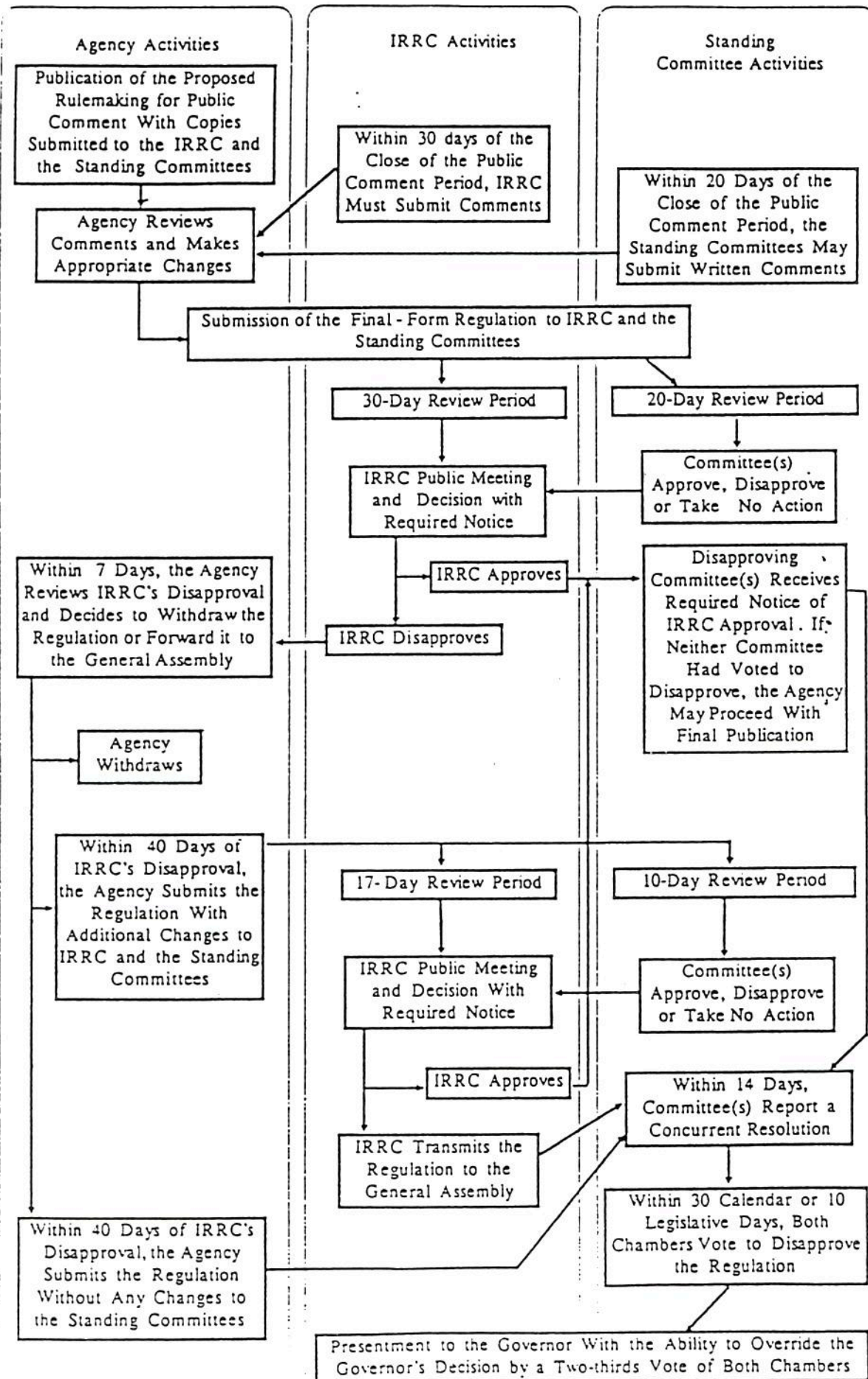


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**THE REGULATORY REVIEW PROCESS FOR
REGULATIONS
TO BE ADOPTED BY THE ENVIRONMENTAL QUALITY
BOARD**

Proposed Rulemaking Stage

- 1. DEP drafts proposed regulations and meets with advisory committee.**
- 2. EQB adopts proposed regulation.**
- 3. Review by Attorney General (30 days).**
- 4. DEP submits proposed regulation to the Standing Committees, the Independent Regulatory Review Commission (IRRC) and the *Pennsylvania Bulletin*.**
- 5. The proposed regulation is published in the *Pennsylvania Bulletin* for public comment commencing the official public comment period. Public meetings and/or hearings may be held.**
- 6. Commentators may submit comments to the EQB.**
- 7. The public comment period closes.**
- 8. Within 20 days of the close of the public comment period, the Standing Committees may submit comments.**
- 9. Within 30 days of the close of the public comment period, IRRC may submit comments.**
- 10. DEP reviews comments and prepares a comment and response document.**

Final Rulemaking Stage

- 1. DEP drafts final regulation and meets with advisory committee.**
- 2. EQB adopts final regulation.**
- 3. DEP submits final regulation to the Standing Committees, IRRC and public commentators.**
- 4. Standing Committees may approve or disapprove within 20 days.**
- 5. IRRC may approve or disapprove within 30 days. (If either the Standing Committees or IRRC disapprove the regulation, it is reconsidered by the Standing Committee and IRRC after the agency responds to the issues raised.)**
- 6. If IRRC approves the regulation, it is submitted to the Attorney General for a 30 day review.**
- 7. The final regulation is published in the *Pennsylvania Bulletin*.**

What is the Environmental Quality Board?

The Environmental Quality Board is a 21-member independent board that adopts all of DEP's regulations. It is chaired by the Secretary of DEP.

The 21 members of the Board include:

- eleven state agencies (Agriculture, Health, Community Affairs, the Public Utility Commission, the Fish and Boat Commission, the Game Commission, Labor and Industry, Commerce, the Governor's Office of Policy, the Historic and Museum Commission, Transportation);
- five members of the Citizens Advisory Council; and
- four members of the Senate and House.

The EQB also considers petitions to change regulations and has other responsibilities including to review State (Clean Air) Implementation Plan changes, siting a low-level radioactive waste disposal facility, adopting a Hazardous Waste Facilities Plan and considering applications for a certificate of public necessity for hazardous waste disposal facilities.

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